

the Second Tuesday of the Same Month Anno Dom Seventeen hundred and Twenty Seven to hear their Judgment of and upon the premisses At which Said Thirteenth Day of February before his Lordships High Court of Appeals af^d at the City of Annapolis af^d Comes as well the Said Charles Carroll by his Attorney af^d as the S^d W^m Jones Lessee af^d by his Attorney but because his Lordships High Court of Appeals and Errors now here of their Judgm^t af^d of and upon the Premises to render are not advised further Day is given as well to the Said Charles Carroll as the af^d W^m Jones from the Said Thirteenth Day of Feb^{ry} at the City of Annapolis af^d Untill the first Tuesday of July Next being the Second Day of the Same Month Anno Dom Seventeen hundred and Twenty Eight to hear their Judgm^t of and upon the Premises for that his Said Lordships Court of Appeals here are not yet advised. At which Said first Tuesday of July Last mentioned Before his Lordships Gov^r and Council af^d Sitting as a Court of Appeals and Errors at the City af^d Comes the parties af^d by their Attorneys af^d Whereupon all and Singular the premisses by the Court being Seen and fully Understood and dilligently Examined and Inspected and Mature deliberation being thereupon had It Seems to his Said Lordships Court now here that neither in the Record and process af^d nor in Rendring the Judgm^t af^d it is in any wise Erred and that Record in Nothing Vicious or Defective in Law It is therefore Considered that the Judgm^t af^d in Every thing be Affirmed and Stand in it's full force and Effect the af^d Causes and matters for Errors above Assigned in any wise Notwithstanding And it's further Considered by his Lordships Said Court now here that the Said W^m Jones Lessee of the S^d Robert Tiler Recover of the S^d Charles Carroll fifteen hundred and Twenty three Pounds of Tobacco [748] To the S^d William Jones Lessee af^d by the Court now here of his Assent Adjudged According to the form of the Statute thereof Lately made and provided for his Costs and Charges Sustained by reason of the Delay of the Execution of the Judgm^t af^d by Pretext of prosecuting his Said Lordships writt of Error and that the S^d W^m Jones Lessee af^d have thereof Execution etc.

John Diggs Lessee v John Beale

Appeale from the Prov^t Court the Cause being delayed this and the Preceding Court from Coming to Tryall by the Appellee his not filing his Clients Oath According to the Direction of the Act of Assembly. It is Likewise Peremtorily Ruled that unless his Oath be filed by the first Day of next Court here that Judgm^t will be rendered Ag^t him by Default

The Court adjourns till To Morrow Morning Nine of the Clock. Saturday July the 6th 1728 the Court meet According to Adjournment.

Present: His Excellency the Gov^r; The Hon^{ble} M. T. Ward Esq^r; Benj^a Tasker Esq^r; Philip Lee Esq^r and Charles Calvert Esq^r, of the Council.

The Court Adjourns to the first Tuesday of Oct^r being the first Day of the Same Month.

Test William Cumming } Clk